

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 3, 5, 9, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (5,971,213) in view of Lee (5,683,015). Herein we refer as Lee (213) and (Lee 015). Lee discloses a refrigerator comprising a door 10 filled with insulator therein (it is inherent, also see the inner space of the door 10); a water storage tank unit 11 disposed at a high place of an inner face of the door 10, and the water storage tank unit 11 including a water storage tank and a tank cover ; a water feeder 16 disposed on a front face of the door 10; and a water feeding tube 12 coupling the tank unit 11 to the water feeder 16, and including a water feeder outlet through cock 13 at an end of the tube 12, wherein the water feeding tube 12 slants upward from the water

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feeder 16 to the tank unit 11. Lee (213) discloses the invention substantially as claimed as stated above except a projection at the inner face of the door and a stopper fixed to a feeding tube at the inner face of the door. See Fig. 2, column 3, line 10-41. Lee (015) teaches the use of projection at the inner face of a refrigerator door 20, a water storage tank 50 is attached with the projection at the inner face of the door 20; a water feeding tube 40 is connected with the water storage tank 50, the feeding tube 40 has a stopper (see Fig 3 in which the feeding tube 40 has a ring like collar disposed next to the dispensing chamber 38 works as a stopper as seen in Fig.4.). See Fig. 3 and 4, column 3, line 9 to column, line 63. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee (213) in view of Lee (015) such that projection and stopper could be provided in order to attach the water storage tank with the projection and controlling the outward movement of the feeding tube. Regarding claim 3, the diameter of tube 12 is inherently larger than the cock outlet as the cock controls the flow of water exiting through the cock by controlling the outlet bore; Regarding claim 5, the lever 14 works as feed controlling unit for opening/closing the water feeder outlet; regarding claim 9, the hole through the heat insulator contained in the door shell guides the water feeding tube 12;

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (213) and Lee(015) in view of Bianchi et al., (6,425,425). Lee discloses the invention substantially as claimed as stated above except a water feeder cover. Bianchi et al., teach the use of a water feeder cover upper part of the shell 9 for covering the water feeder 10 and a water feeder outlet guide/support 18 for surrounding the water feeder

outlet, wherein the guide slants forward, and a lower end of the guide 18 is substantially flush lower end of the cover (upper part of the shall 9) see Fig. 3, column 2, line 35 to column 3, line 67. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee (213) and Lee (015) in view of Bianchi et al., such that a cover and guide could be provided in order to cover the water feeder and guide the water feeder in order to safe dispensing of the water.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (213) and Lee(015) in view of V. M. Maine (1,918,767). Lee discloses the invention substantially as claimed as stated above except a packing made from a soft rubber. Maine teaches the use of a rubber made seal packing tube 15 packed over the feed tube 20 in a water cooler for the purpose of fixing the feed tube 20 with the water reservoir 21 in a tight sealing manner.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee(213) and Lee(015) in view of Fukuda Maine such that a rubber seal packing could be provided in order to fix the feed tube in tight sealing manner.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee(213) and (015) in view of Fukuda et al., (JP 2000-302202 A). Lee discloses the invention substantially as claimed as stated above except a seal packing and slide lever. Fukuda et al., teach the use of a seal packing 20/25 and lever 30 in a lid 20 closing mechanism of a container.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the refrigerator of Lee(213) and Lee(015) in view of Fukuda et al., such that a seal packing and a lever could be provided in order to compress the seal packing and close the lid by the application of the lever.

Allowable Subject Matter

Claims 6, 7 and 8 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad M. Ali whose telephone number is 571-272-4806. The examiner can normally be reached on maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on 571-272-4808. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad M Ali/

Primary Examiner, Art Unit 3744